

September 24, 2024

Professor Amy Wax
Penn Carey Law School
3501 Sansom St.
Philadelphia, PA 19104

Dear Professor Wax:

I write in connection with the decision of the Faculty Senate Hearing Board rendered in accordance with the University of Pennsylvania Procedure Governing Sanctions Taken Against Members of the Faculty (section II.E.16 of the Handbook for Faculty and Academic Administrators) on the charges brought against you by former Dean Theodore Ruger. As you know, following a three-day hearing held in May 2023, the faculty Hearing Board concluded that you engaged in “flagrant unprofessional conduct” that breached your responsibilities as a teacher to offer an equal opportunity to all students to learn from you. That conduct included a history of making sweeping and derogatory generalizations about groups by race, ethnicity, gender, sexual orientation, and immigration status; breaching the requirement that student grades be kept private by publicly speaking about the grades of law students by race and continuing to do so even after cautioned by the dean that it was a violation of University policy; and, on numerous occasions in and out of the classroom and in public, making discriminatory and disparaging statements targeting specific racial, ethnic, and other groups with which many students identify.

The Board recommended sanctions including a one-year suspension from the University at half pay; the loss of your named chair; the loss of summer pay in perpetuity; the requirement that you note in public appearances that you speak for yourself alone and not as a University or Penn Carey Law School faculty member; and a public reprimand.

Under our policy, former President M. Elizabeth Magill reviewed the Board’s recommendations. The Handbook provides that the President “may depart from the Hearing Board’s recommendations only in exceptional circumstances, and only to reduce the severity of recommended sanctions or to dismiss the charges for failure of proof” (Section II.E.16.4.1.2). As she found no exceptional circumstances warranting departure from the Board’s recommendations, nor any ground to return the case to the Board for further review, President Magill accepted the Board’s recommendations. You subsequently appealed the matter to the Faculty Senate Committee on Academic Freedom and Responsibility, which found no procedural defect warranting remand to the Hearing Board.

Interim President J. Larry Jameson confirmed and is implementing the final decision. The matter is now concluded, so in accordance with the recommendations of the Hearing Board, I am issuing to you this public letter of reprimand.

Academic freedom is and should be very broad. Teachers, however, must conduct themselves in a manner that conveys a willingness to assess all students fairly. They may

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not engage in unprofessional conduct that creates an unequal educational environment. The Board has determined that your conduct failed to meet these expectations, leaving many students understandably concerned that you cannot and would not be an impartial judge of their academic performance.

It is imperative that you conduct yourself in a professional manner in your interactions with faculty colleagues, students, and staff. This includes refraining from flagrantly unprofessional and targeted disparagement of any individual or group in the University community. These directives will remain in effect for so long as you are a member of the University's standing faculty.

Sincerely,

John L. Jackson, Jr.
Provost